

**MINUTES**  
**CITY PLAN COMMISSION**

City Plan Commission, Tuesday, August 23, 2011 at 4:00 P.M. in the Third Floor conference room, City Hall, 828 Center Avenue. Chairperson Mayor Bob Ryan presided.

Present: Mayor Ryan, John Van Der Male, Ald. Kevin Sampson, Ryan Sazama, Steve Hemsing, Jerry Jones and Don Cvetan

Staff present: Steve Sokolowski and Chad Pelishek

Others present: Stephen Sharpe, Gary Specht, Fr. Michael Dineen, Michael Lewis, Deacon Michael Burch, Steve Betz, David Reinecke and Bob Petrie

The meeting was called to order and the Pledge of Allegiance was recited.

Approval of minutes of the August 9, 2011 meeting.

John Van Der Male moved, Jerry Jones seconded to approve the minutes of the August 9, 2011 meeting. The motion passed unanimously.

Conditional Use Permit and variance application by Christ Child Academy to install a 6 foot high chain link fence around the playground area located on the south side of the school/church property located at 2722 Henry Street.

Stephen Sharpe, Gary Specht, Fr. Michael Dineen and David Reinecke were present to discuss this matter with the Commission.

The applicant is requesting a variance to install a six (6) foot high chain link fence in a front/street yard where the maximum height of a fence may be four (4) feet when located within a required front yard or required street yard on any property and a fence within a street yard shall be a maximum of 50% opaque. The applicant is requesting the six (6) foot high fence to provide security and keep playground equipment such as balls, etc. inside of the playground area. The fence will be installed five (5) feet from the property lines.

Steve Sharpe, owner of 2831 Henry Street, indicated his mother lived in the house and he was opposed to the 6 foot high fence because he didn't think it was necessary and felt a 4 foot high fence would be adequate. He also was concerned about the aesthetics of the fence.

Fr. Dineen indicated the 4 foot high fence would not provide enough security because someone could easily reach over the fence and abduct a child and balls, etc. could easily go over the fence. He said there would be several gates to provide access to the playground.

Dave Reinecke, owner of 2910 South 14<sup>th</sup> Street, indicated he was opposed to the 6 foot high fence.

Steve Hemsing indicated he felt the applicant is requesting a 6 foot high fence as opposed to a 4 foot high fence because the applicant feels it is necessary to provide the proper security for the school children.

Following due consideration, Steve Hemsing moved, Don Cvetan seconded to approve with the following conditions:

1. Applicant obtains that necessary fence permit.
2. Fence shall be installed per Section 15.720 of the City of Sheboygan Zoning Ordinance (except for approved height variance) and per the approved site plan.
3. Maximum height of fence is six (6) feet high (peak of fence to grade).
4. Fence shall be located on the Christ Child Academy property and shall meet the minimum one (1) foot setback to all property lines.
5. Applicant shall meet all requirements of Section 15.703 of the City of Sheboygan Zoning Ordinance visibility standards (15 foot vision triangle requirements).

A variance was granted to install a six (6) foot high chain link fence in a front/street yard where the maximum height of a fence may be four (4) feet when located within a required front yard or required street yard on any property and a fence within a street yard shall be a maximum of 50% opaque.

The motion passed 5-2 with Jerry Jones and Kevin Sampson voting no.

Conditional Use Permit and variance application by Kerry Goedeke to construct an addition to the outdoor patio at Sandee's Tavern, 1202 Michigan Avenue.

The application was withdrawn.

Conditional Use Permit application by Alliant Energy to construct a new 60 foot steel monopole at the substation located at 2018 Kohler Memorial Drive.

Steve Betz, representing the applicant, was present to discuss this matter with the Commission.

Alliant Energy is proposing to install a new 60 foot steel monopole with associated telecom equipment at the existing substation. The existing wood static pole will remain. The pole will be located on the property that in event it does fall over, it will land entirely on their property.

Following due consideration, Jerry Jones moved, John Van Der Male seconded to approve with the following conditions:

1. Applicant is responsible for making sure the tower meets the setback requirements of Section 15.206(7)(c)(3)(a) of the City of Sheboygan Zoning Ordinance.

2. Applicant shall obtain all necessary permits for the construction (including but not limited to building, electrical, HVAC, plumbing, etc.), as well as, all necessary permits for the storage of hazardous chemicals (applicant shall be in contact with building inspection, fire department, etc.).
3. Tower shall be designed and installed to meet all applicable governmental and industry safety standards (FCC, FAA, etc.).
4. The wireless communication tower and equipment shall be properly maintained.
5. No lighting shall be permitted on a tower except as required by the FAA.
6. Towers shall have a non-reflective surface and a neutral color that is the same or similar color as the supporting structure to be as visually unobtrusive as possible, or, if required by the FAA, be painted pursuant to the FAA's requirements.
7. If the wireless telecommunications tower has been discontinued for a period of six consecutive months or longer it is hereby declared "abandoned."
8. Abandoned facilities, as defined in condition 8 above, shall be removed by the property owner within ninety (90) days from date of abandonment. If the wireless telecommunications tower is not removed within said ninety (90) days, the City may remove the wireless telecommunications tower at the property owner's expense.
9. Any future installations and/or providers wishing to collocate on this wireless telecommunications tower shall be required to obtain a conditional use permit prior to installation/operation.
10. Prior to building permit issuance, the applicant will provide the necessary engineering documentation (such as a stamped letter and plans) specifically detailing how the design/construction of the tower will not compromise the health, safety and welfare of Sheboygan citizens, adjacent facilities, etc. due to a potential collapse.

The motion passed unanimously.

Conditional Use Permit and variance application by St. Peter Claver Parish to install a new LED message center monument sign along S. 12<sup>th</sup> Street and to construct a 24 by 30 foot garage at the northeast corner of their property and located at 1444 South 11<sup>th</sup> Street.

Deacon Michael Burch and Michael Lewis were present to discuss this matter with the Commission.

The new LED message center monument sign will be located along South 12<sup>th</sup> Street. The proposed monument sign is 38 square feet and the message center is 8.5 square feet.

The proposed 24 by 30 foot garage will be located on the northeast corner of their property. The garage will be used to park the parish pickup and storage of supplies/equipment for church festivals and outdoor activities.

Following due consideration, Steve Hemsing moved, Ryan Sazama seconded to approve with the following conditions:

1. Submittal and approval of a proposed storm drainage plan.
2. Prior to operation/occupancy, the applicant shall obtain all licenses and occupancy permits as well as meet all required codes including but not limited to building, plumbing, electrical, HVAC, fire, health, etc.
3. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
4. Dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility. If using chain link fencing, the applicant shall install Privacy Decorative Slating (PDS) material in order to effectively screen the dumpster.
5. Outdoor storage of materials, products or equipment shall be prohibited.
6. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.
7. All areas used for parking or maneuvering of vehicles shall be paved.
8. All areas that are not required to be paved shall be landscaped with grass and/or approved landscaping.
9. Applicant shall obtain the necessary sign permits prior to installation.
10. Applicant shall meet Sections 15.804(a) and (c) of the City of Sheboygan Zoning Ordinance relating to signage and pedestrian/ traffic safety and sign timing/cycles. No signs containing flashing, intermittent or moving sections or intermittent or flashing lights shall be permitted. The monument sign shall be designed so as to not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts. Sign shall meet the minimum 12 foot setback (closest edge of sign to property line).
11. Maximum height of sign is 8 feet.

A variance was granted to install a 38 square foot monument sign where a maximum 24 square foot sign is allowed for a church in a residential zone.

The motion passed unanimously.

A motion to ratify Conditional Use Permit application by JBZ, LLC to operate NZ's Bar and Grill at 1022 Michigan Avenue.

Following due consideration, Ryan Sazama moved, Jerry Jones seconded to ratify the action taken by the Plan Commission at their August 9, 2011 meeting with the following conditions:

1. Prior to construction and operation, the applicant shall obtain all necessary permits and licenses including but not limited to building, plumbing, electrical, HVAC, fire, health, food, alcohol, occupancy, etc.
2. If a dumpster is used, the dumpster(s) shall be screened/enclosed and constructed of like materials and colors of the facility.
3. Outdoor storage of materials, products or equipment shall be prohibited
4. All new lighting shall be installed per Section 15.707 of the City of Sheboygan Zoning Ordinance. There shall be no spillover light onto adjacent properties or the streets.

5. All ground level and rooftop mechanicals shall be screened and/or enclosed and constructed of like materials and colors of the facility (HVAC equipment, satellite dishes, etc.).
6. Applicant will be required to obtain a sign permit for each sign to be installed on the property prior to installation.
7. If the applicant is remodeling the exterior of the building, the applicant shall obtain City of Sheboygan Architectural Review Board approval prior to remodel construction.
8. If there are any amendments to the approved site plan, the applicant will be required to submit a new conditional use application reflecting those amendments.

The motion passed 6-1 with Don Cvetan abstaining.

Being no further business, the meeting adjourned at 4:30 P.M.

Carol Rudie  
Recording Secretary

